



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Report of Finding and Sanction

Case Reference:

Mr Yasser Mahmood

The Director-General of the Bar Standards Board

The Chair of the Bar Standards Board

The Treasurer of the Honourable Society of: Inner Temple, 2010.

Disciplinary Tribunal

Mr Yasser Mahmood

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 12 September 2024, I, HH David Pugh, sat as Chairman of a Disciplinary Tribunal on 1 October 2024 to hear and determine 1 charge of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Mr Yasser Mahmood, barrister of the Honourable Society of Inner Temple.

Panel Members

2. The other members of the Tribunal were:

Lakshmi Ramakrishnan (Lay Member)

Stephanie McIntosh (Lay Member)

Sabina Khan (Barrister Member)

Jade Bucklow (Barrister Member)

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Charges

3. The following charge was found proven.

Charge 1

Statement of Offence

Professional misconduct, contrary to Core Duty 5 and/or conduct rule rC8 of the Bar Standards Board's Handbook (9th Edition)

Particulars of Offence

Mr Yasser Mahmood, an unregistered barrister behaved in a manner which is likely to diminish the trust and confidence which the public places in him or in the profession and/or could reasonably be seen by the public to undermine his integrity and/or honesty in that he asserted in his curriculum vitae, emailed to Arden University on 19 May 2021, in support of an application to be an external examiner the following matter which he knew to be untrue:

A) That earlier in his career during the period October 2010 to December 2012, he worked at Tooks Chambers as a barrister having conduct of cases and working in the field of employment disputes when he has never held a practising certificate to practise as a barrister.

Parties Present and Representation

4. The Respondent was present and was represented by Ms Aleksandra Manning-Rees. The Bar Standards Board ("BSB") was represented by Mr Barnaby Hone.

Preliminary Matters

5. Ms Aleksandra Manning-Rees, on behalf of Mr Mahmood, made an application to the panel for all medical evidence submitted by Mr Mahmood to be heard in private, to alleviate the risk of prejudice against Mr Mahmood post hearing.
6. The BSB responded that they were content for part of the medical evidence to be heard in private, but applied for the medical evidence which concerned Mr Mahmood's dyslexia to be heard in public, given that this diagnosis was central to his defence.

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7. The panel considered both applications and directed that part of the medical evidence, that which concerned Mr Mahmood's dyslexia, would be heard in public and that the remainder of the medical evidence, if required in the hearing, would be held in private.

Pleas

8. Mr Mahmood denied the Charge.

Evidence

9. The BSB called no live evidence, it not being in issue that Mr Mahmood had submitted the CV to Arden University. The statement of Mr Dominic Fowler of the Bar Council's Records Team was admitted into evidence without challenge.
10. Mr Yasser Mahmood gave live evidence and was cross examined by counsel for the BSB. He called no further evidence other than statements of a number of witnesses who were not called but whose evidence was admitted into evidence without challenge."

Findings

11. In his CV, under the heading *legal experience* Mr Mahmood put that between October 2010 and December 2012, he was at Tooks Chambers and immediately after placed the word *Barrister*. He went on to give various examples of the work that he had done during that period including exposure to advocacy and responsibility for conduct of cases and client conferences.
12. Mr Mahmood accepted that this gave the impression to a person reading the CV that he had been a practising barrister during that period. However, he said that this was as a result of an honest mistake arising out of his dyslexia.
13. The panel accepted that in 2005 he was diagnosed with a specific learning difficulty which was of a dyslexic nature.
14. In reaching its finding, the panel considered whether this was an isolated reference within the CV to him acting as a practising barrister or whether there are other aspects of the CV which support the submissions of the BSB- that Mr Mahmood deliberately and dishonestly represented to anyone reading the CV that he had been a practising barrister.
15. The panel noted that within the bullet points, as referred to above, he mentions both advocacy and being responsible for the conduct of cases, matters which would usually be

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thought to be only be referable to a practising barrister. In evidence Mr Mahmood, stated that the reference to advocacy, was meant to be a reference to his day to day discussions with professionals. The panel did not accept this as a credible explanation given his completion of the bar course and his professional experience since.

16. Further, the panel noted that under the heading of Committees, he had placed a bullet point, reading: *Tooks Chambers, Mini Pupillage Member (2010 – 2012)*. When asked about this, Mr Mahmood stated that he had been in an admin role for the Committee, checking availability and, as such, he considered himself to be a member of the Committee. The panel did not consider this to be plausible. Overall, the panel, again, considered that this gave the impression that he was a member of Tooks Chambers.
17. The panel also took into account the references within that part of the CV which listed his skills. In doing so, the panel was cautious not to attribute all that he listed solely to his time in Tooks Chambers. It found that his experience in other roles would have justified some of what he included under that heading. However, his frequent reference to having obtained such skills whilst *in practice*, an expression which would ordinarily mean that of a practising barrister, together with his explanation (which the panel thought not credible) that he meant by that to refer to practical experience, led the panel to again conclude that this was meant to give the impression that he had, in the past, been a practising barrister.
18. The panel took note of the fact that within the section of the CV referring to membership of professional bodies, that he stated that he was a *Barrister (non-practising)*.
19. The panel did not accept Mr Mahmood's explanation that the reference to him being a barrister in the legal experience section of the CV was an honest mistake as a result of his dyslexia. It considered that the CV was a clear and comprehensive document which did not include any other errors and it noted that when asked, Mr Mahmood was unable to point to any other errors within the CV.
20. Having considered the evidence overall and the submissions of counsel for the BSB and Mr Mahmood, the panel concluded that Mr Mahmood had behaved in a manner which was likely to diminish the trust and confidence which the public placed in him or in the profession and could reasonably be seen by the public to undermine his integrity and honesty.
21. This finding was made to the civil standard.

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Sanction and Reasons

22. The Panel considered the BTAS Sanctions Guidance Version 6 dated 1st January 2022. Section A of that Guidance relates to matters involving dishonesty.
23. As to culpability, the panel found that the misconduct was not fleeting or momentarily and that it was not sophisticated. But it found that the misconduct was calculated and that Mr Mahmood intended to benefit, albeit the benefit was not significant. It placed culpability as moderate. As to harm, it recognised that no individual or entity was specifically harmed and accordingly the panel placed this within low harm.
24. This resulted in the seriousness falling within the middle range of the guideline but towards the lower end. However, wherever it is placed the indicative sanction is disbarment unless exceptional circumstances apply.
25. The primary focus of exceptional circumstances must be the nature and extent of the dishonesty and the degree of culpability.
26. The panel considered mitigation, which was Mr Mahmood's lack of previous regulatory history and the character references which refer to this conduct being out of character. The panel also took into account that his mental health has deteriorated and that he has had to change his employment as a result of this charge being brought. The panel also noted his caring responsibilities.
27. However, as the guidance states, exceptional circumstances must relate in some way to dishonesty and the panel did not find that there were exceptional circumstances in this case.
28. The panel directs that the Respondent, Mr Mahmood be disbarred.
29. The disbarment shall take place 21 days from today (the period allowed for any appeal to be made). In the interim, the BSB shall not issue any practising certificate to Mr Mahmood.
30. Order Mr Mahmood pay the costs of the BSB in the sum £2,670.
31. The Treasurer of the Honourable Society of Inner Temple is requested to take action on this report in accordance with rE239 of the Disciplinary Tribunal Regulations 2017.

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Dated: 3 October 2024

**HH David Pugh
Chairman of the Tribunal**

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